

**THE HONORABLE MARY JO HESTON
CHAPTER 13**

HEARING DATE: March 24, 2020

HEARING TIME: 1:00 P.M.

LOCATION: Tacoma, Washington

RESPONSE DATE: March 17, 2020

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

BENJAMIN HARLAN HELM,

Debtor.

Case No.: 20-40228-MJH

TRUSTEE'S OBJECTION TO CONFIRMATION
WITH STRICT COMPLIANCE

COMES NOW, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to
confirmation as follows:

BACKGROUND

Debtor filed this Chapter 13 case on January 27, 2020. The applicable commitment period is sixty months. The case is currently in the second month and the Meeting of Creditors has been completed. The bar date for filing non-governmental claims is April 6, 2020. Scheduled unsecured claims total \$67,149.00. The Trustee estimates that under the proposed plan general unsecured creditors will receive approximately \$0.00.

TRUSTEE'S OBJECTION TO CONFIRMATION
WITH STRICT COMPLIANCE - 1

Michael G. Malaier
Chapter 13 Standing Trustee
2122 Commerce Street
Tacoma, WA 98402
(253) 572-6600

OBJECTION

☒ Schedules or other documentation insufficient:

Debtor's budget indicates that he both pays domestic support obligations and receives domestic support. There is also a note on Schedule J regarding restitution payments. Counsel indicated at the section 341 meeting that these entries were inadvertently left in Debtor's schedules from a prior case. Trustee has requested, but not yet received, an amended budget clarify and/or removing those entries.

WHEREFORE, Trustee requests that the objection to confirmation be sustained and Debtor be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

DATED this 7th day of March, 2020.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA# 41847 for
Michael G. Malaier, Chapter 13 Trustee

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Benjamin Harlan Helm
6725 – 176th St. Ct. E.
Puyallup, WA 98375

Ellen Ann Brown
US Trustee

/s/Tracy Maher

Tracy Maher
Office Manager
Michael G. Malaier
Chapter 13 Trustee